

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
Civil Action No. 5:21-cv-191

LORETTA STANTON, )  
)  
Plaintiff, )  
)  
v. )  
)  
TARGET CORPORATION, )  
)  
Defendant. )

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**NOTICE OF REMOVAL  
TO FEDERAL COURT**

Defendant Target Corporation, by and through undersigned counsel, respectfully removes the above-entitled action from the Superior Court of Wake County, North Carolina, to the United States District Court for the Eastern District of North Carolina, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446. In support of this Notice of Removal, Defendant states as follows:

1. This action is being removed to federal court based on diversity of citizenship between the parties and an amount in controversy greater than \$75,000.00.

2. On March 15, 2021, Plaintiff filed a Complaint in the Superior Court of Wake County, North Carolina, styled “Loretta Stanton v. Target Corporation.” That case was assigned civil action number 21 CVS 3623 (“Superior Court action”). Target Corporation was served with the summons and Complaint on or about March 29, 2021. This Notice is being filed within thirty (30) days of the date of service of the summons and Complaint on Defendant.

3. Plaintiff’s claims for relief against Defendant in the Superior Court action are for negligence. Plaintiff alleges that on March 29, 2018, she was “traversing the area in the front” of Defendant’s store when she tripped and fell to the ground, sustaining

injuries as a result of Defendant's "careless, negligent, and unlawful conduct." (Complaint ¶¶ 7, 9) Plaintiff further alleges her injuries are permanent and that "she may continue to undergo great physical pain and mental anguish for the rest of her life." (Complaint ¶ 8)

4. The United States District Court for the Eastern District of North Carolina has original jurisdiction over the Superior Court action pursuant to 28 U.S.C. § 1332(a) and it may be removed by Defendant pursuant to 28 U.S.C. §§ 1441(a) and 1446 for the following reasons:

- (a) Per the Plaintiff's Complaint, she is a resident of the State of North Carolina.
- (b) At the commencement of this action and at all relevant times, Defendant Target Corporation was a Minnesota corporation with a principal place of business in Minnesota.
- (c) The matter in controversy between Plaintiff and Defendant was, at the commencement of this action, one in which complete diversity of citizenship exists.
- (d) The amount in controversy between the Plaintiff and Defendant in this action, exclusive of interest and costs, exceeds \$75,000.00, on information and belief, inasmuch as plaintiff alleges she sustained "injuries of a permanent nature" and "may continue to undergo great physical pain and mental anguish for the rest of her life". (Complaint ¶ 8).
- (e) Therefore, Defendant files this notice of removal of this action

from Wake County Superior Court to the United States District Court for the Eastern District of North Carolina.

5. Attached to this notice as Exhibit A and Exhibit B, respectively, are copies of the Summons and Complaint filed in the Superior Court action.

6. A copy of this Notice of Removal is being sent for filing to the Clerk of Court of Wake County, North Carolina contemporaneously with the filing of this Notice of Removal, as shown by the Notice attached as Exhibit C.

WHEREFORE, Defendant respectfully requests that this action be removed from the Superior Court of Wake County, North Carolina, to the United States District Court for the Eastern District of North Carolina.

This the 26<sup>th</sup> day of April, 2021.

/s/ Stephanie Gaston Poley  
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UNITED STATES DISTRICT COURT  
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Civil Action No. 5:21-cv-191

LORETTA STANTON,

Plaintiff,

v.

TARGET CORPORATION,

Defendant.

**CERTIFICATE OF SERVICE**

I hereby certify that on the 26<sup>th</sup> day of April, 2021, I electronically filed the foregoing *Notice of Removal to Federal Court* with the Clerk of Court using the CM/ECF system and mailed the document via the United States Postal Service, postage pre-paid and addressed to:

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